

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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In re	:
	:
1380 Realty NY LLC,	:
	:
Debtor.	:
-----X	

**Chapter 11**  
**Case No. 1-24-40017-ess**

**NOTICE OF MOTION FOR ORDER DISMISSING  
THE PETITION OR, IN THE ALTERNATIVE,  
LIFTING THE BANKRUPTCY STAY OF ACTIONS  
AGAINST DEBTOR TO ALLOW FOR FURTHER  
PROCEEDINGS AGAINST THE DEBTOR IN STATE COURT**

**PLEASE TAKE NOTICE** that, upon the annexed Application (the “Application”), creditor 1971 60<sup>th</sup> St. LLC (“1971”), by its attorneys, will move the Court, before the Honorable Elizabeth S. Strong, U.S.B.J., at the United States Bankruptcy Court, U.S Courthouse, 271-C Cadman Plaza East, Brooklyn, New York 11201-1800, on June 21, 2024 at 9:30 a.m., or as soon thereafter as counsel may be heard, for an Order:

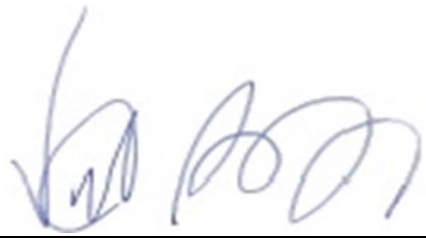
- A. Pursuant to 11 U.S.C. § 1112(b), dismissing the instant petition for cause, or, alternatively;
- B. Pursuant to 11 U.S.C. § 362(d), lifting the automatic stay imposed by the instant filing of the debtor, 1380 Realty NY LLC (“Debtor”), allowing 1971 to continue to prosecute its claims to judgment, in the name and stead of the Debtor, against Yechezkel Kraut a/k/a Yechezkel Dov Kraut, Shira Kraut, Levi Kraut and Mortgage Electronic Registration Systems, Inc. as nominee for FM Home Loans LLC in 1380 Realty NY LLC v. Yechezkel Kraut, et al., Supreme Court, Kings Co. Index No. 505892/2023 (the “State Court Action”); and
- C. For such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to BR 9006-1, objections, if any, to the relief requested in this Application must be made in writing, filed with the Court at the

Court's website, [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (Log-in and password required), and served upon R&R Legal Advisors, LLC, 28 Valley Road, Suite 1, Montclair, New Jersey 07042, Attn: Victor Rivera Jr., Esq., so as to be received at least seven (7) days before the return date.

Dated: May 3, 2024  
New York, New York

**R&R LEGAL ADVISORS LLC**

By: \_\_\_\_\_

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Attorneys for Creditors  
1971 60<sup>th</sup> Street LLC,  
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